

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Plaintiff(s),

No. (EDL)

v.

CASE MANAGEMENT AND
PRETRIAL ORDER FOR JURY TRIAL

Defendant(s).

Pursuant to Fed. R. Civ. P. 16 and Civ. L.R. 16-15, the following case management and pretrial order is entered:

1. TRIAL DATE

a. Jury trial will begin on at _____ in Courtroom E, 15th Floor, 450 Golden Gate, San Francisco, CA 94102.

b. The length of the trial will be not more than days.

2. DISCOVERY

a. Experts shall be disclosed by (plaintiff); (defendant).

b. All discovery from experts shall be completed by (plaintiff); (defendant).

c. All non-expert discovery shall be completed by .

d. Counsel shall contact Judge Laporte jointly by telephone before filing any discovery motions. If the court determines that a formal discovery motion should be filed, counsel are directed to follow the procedures outlined in Judge Laporte's Standing Discovery Order, unless otherwise specified at the time of the telephonic conference.

3. MOTIONS

The last day for hearing dispositive motions shall be . Dispositive motions shall be served and filed no later than **thirty-five (35)** days prior to the scheduled hearing date. Any opposition shall be served and filed no later than **twenty-one (21)** days prior to the hearing date. Any reply to the opposition shall be served and filed no later than **fourteen (14)** days prior to the date of the hearing.

In support of or in opposition to a motion for summary judgment, no party shall submit a statement of undisputed facts unless such statement has been prepared jointly by all parties pursuant to Civil Local Rule 56-2. Any other statement of undisputed facts or genuine issues shall be disregarded by the court.

4. **SETTLEMENT CONFERENCE**

A settlement conference shall be scheduled before another Magistrate Judge of this court. Counsel will be contacted by that judge's chambers with a date and time for the conference during , or as soon thereafter as is convenient to the judge's calendar.

5. **PRETRIAL CONFERENCE**

a. A final pretrial conference shall be held on at in Courtroom E, 15th Floor. **Each party shall attend personally or by lead counsel who will try the case.**

b. **Not less than thirty (30) days** prior to the date of the pretrial conference, all counsel and/or parties shall meet and fulfill the requirements of Civil Local Rule 16-15.

c. **Not less than twenty (20) days** prior to the pretrial conference, counsel and/or parties shall

- (i) serve and file pretrial statements pursuant to Local Rule 16-15(b);
- (ii) serve and file trial briefs, motions in limine, proposed voir dire questions, jury instructions, verdict forms, and statements designating excerpts from discovery that will be offered at trial (specifying the witness and page and line references);
- (iii) serve and file a numerical list of each party's exhibits, including a brief statement describing the substance and purpose of each exhibit and the name of the sponsoring witness;
- (iv) serve and file an exhibit setting forth the qualifications and experience for each expert witness;
- (v) exchange exhibits which shall be premarked (plaintiff shall use numbers; defendant shall use non-duplicative consecutive numbers as agreed in advance) and tabbed; and

1 (vi) deliver two sets of all premarked exhibits to chambers (exhibits are not to be filed).

2 No party shall be permitted to call any witness or offer any exhibit in its case in chief that is not
3 disclosed in its pretrial statement (prepared in accordance with Local Rule 16-15(b)) without leave of the Court
4 and for good cause.

5 d. **Not less than ten (10) days** prior to the pretrial conference, counsel and/or parties
6 shall serve and file: 1) any objections to witnesses or exhibits, 2) any objections to the qualifications of an
7 expert witness, or 3) any opposition to a motion in limine. No replies shall be filed.

8 e. All motions in limine and objections shall be heard at the pretrial conference.

9 6. JURY TRIAL

10 a. The attached voir dire questionnaire shall be given to the venire members to be
11 answered orally in Court. Counsel shall submit an agreed upon set of additional voir dire questions to be posed
12 by the Court. Any voir dire questions on which counsel cannot agree may be submitted separately. Counsel
13 shall be allowed brief follow-up voir dire after the Court's questioning.

14 b. The following jury instructions from the Manual of Model Civil Jury Instructions for the
15 Ninth Circuit (1997 Edition) shall be given absent objection: 1.01 - 1.12, 2.01 - 2.02, 3.01 - 3.03, 3.05 -
16 3.08, 3.13 - 3.15. Counsel shall submit an agreed upon set of case specific instructions, using the Ninth Circuit
17 Manual where appropriate. Do not submit duplicates of those listed above. Any instructions on which counsel
18 cannot agree may be submitted separately. Each requested instruction shall be typed in full on a separate page
19 with citations to the authority upon which it is based and a reference to the party submitting it. A **second blind**
20 **copy** of each instruction and verdict form shall also be submitted omitting the citation to authority and the
21 reference to the submitting party.

22 Whenever possible, counsel shall deliver to chambers a copy of their joint proposed jury instructions
23 and their separate instructions on a 3.5 inch floppy disk compatible with Wordperfect 6.1 or 8.0 for Windows.

24 7. All documents filed with the Clerk of the Court shall list the civil case number followed by the
25 initials "EDL". One copy shall be clearly marked as a chambers copy.

26 Dated:

27 ELIZABETH D. LAPORTE
28 United States Magistrate Judge

JUROR QUESTIONNAIRE

Please stand and recite the information listed below.

1. Your name:
 - a. Juror Number
2. City in which you reside:
 - a. How long have you lived there?
 - b. If less than 5 years, where did you live before?
3. Your marital status
(single, married, separated, divorced, widowed)
4. If you are married, please list your spouse's name and occupation.
5. If you have children, their ages and (for adult children) their occupations.
6. What is your current occupation and how long have you worked in it? (If you are retired, please describe your main occupation when you were working).
7. Who is (or was) your employer?
 - a. What are your primary job duties?
 - b. Do you supervise or manage other people?
 - c. How long have you worked for this employer?
8. If you have ever worked in any different occupation than you current occupation, please describe.
9. Please describe your educational background.
Highest grade completed:
College and/or vocational schools you have attended:
Major areas of study:
10. Please describe any other special skills or training that you have.
11. Have you ever served in the military? If so, what branch?
What was your highest rank achieved?
12. Do you belong to any organizations? (Please list)
13. What do you do in your spare time? Do you have any hobbies?
14. Please review the attached list of names. Do you know any of the people or entities on
If yes, please state whom you know and how.